

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

ANTHONY BRADLEY,

Case No. 3:19-cv-00605-MMD-CBC

Plaintiff

ORDER

v.

NEVADA DEPARTMENT OF
CORRECTIONS, *et al.*,

Defendants

I. DISCUSSION

Plaintiff, who is an inmate in the custody of the Nevada Department of Corrections (“NDOC”), has filed a document titled “Notice of Intent Civil Rights Complaint 42 U.S.C. § 1983.” (ECF No. 1-1). Plaintiff has not filed a complaint or an application to proceed *in forma pauperis* in this matter.

Under Federal Rule of Civil Procedure 3, “[a] civil action is commenced by filing a complaint with the court.” Fed. R. Civ. P. 3. As such, the Court grants Plaintiff thirty (30) days from the date of this order to submit a complaint to this Court.

Under 28 U.S.C. § 1915(a)(2) and Local Rule LSR 1-2, Plaintiff must complete an application to proceed *in forma pauperis* and attach both an inmate account statement for the past six months and a properly executed financial certificate. Plaintiff will be granted an opportunity to file an application to proceed *in forma pauperis*, or in the alternative, pay the full filing fee for this action. If Plaintiff chooses to file an application to proceed *in forma pauperis* he must file a fully complete application to proceed *in forma pauperis* and attach both an inmate account statement for the past six months and a properly executed financial certificate. Plaintiff is advised that this case will not be placed in line for screening until the complaint is filed and he either pays the filing fee or files a complete application to proceed *in forma pauperis* and attach both an inmate account statement for the past six months and a properly executed financial certificate.

111

II. CONCLUSION

For the foregoing reasons, IT IS ORDERED that the Clerk of the Court will send Plaintiff the approved form application to proceed *in forma pauperis* by a prisoner, as well as the document entitled information and instructions for filing an *in forma pauperis* application.

IT IS FURTHER ORDERED that within **thirty (30) days** from the date of this order, Plaintiff must either: (1) file a fully complete application to proceed *in forma pauperis*, on the correct form with complete financial attachments of an inmate account statement for the past six months and a properly executed financial certificate in compliance with 28 U.S.C. § 1915(a); or (2) pay the full \$400 fee for filing a civil action (which includes the \$350 filing fee and the \$50 administrative fee).

IT IS FURTHER ORDERED that Plaintiff will submit a complaint to this Court within **thirty (30) days** from the date of this order.

IT IS FURTHER ORDERED that the Clerk of the Court will send Plaintiff the approved form for filing a 42 U.S.C. § 1983 complaint and instructions for the same. The Clerk of the Court will also send Plaintiff a copy of his document titled Notice of Intent Civil Rights Complaint 42 U.S.C. § 1983. (ECF No. 1-1).

IT IS FURTHER ORDERED that if Plaintiff does not timely comply with this order, dismissal of this action may result.

DATED this 7th day of October, 2019.


UNITED STATES MAGISTRATE JUDGE